

Gregory P. Joseph (GP-1210) (gjoseph@josephnyc.com)
Mara Leventhal (ML-1218) (mleventhal@josephnyc.com)
GREGORY P. JOSEPH LAW OFFICES LLC
485 Lexington Avenue, 30th Floor
New York, New York 10017
Tel: (212) 407-1200
Fax: (212) 407-1299

Attorneys for Defendant Eugene N. Melynk

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

SECURITIES AND EXCHANGE COMMISSION, :
Plaintiff, :
08 CIV 02979 (LAK)
-against- :
ECF CASE
BIOVAIL CORPORATION, :
MOTION TO ADM
EUGENE N. MELNYK, :
COUNSEL PRO H
BRIAN CROMBIE, :
VICE
JOHN MISZUK, and :
KENNETH G. HOWLING, :
Defendants. :
X

PURSUANT TO RULE 1.3(c) of the Local Rules of the United States District Courts for the Southern and Eastern Districts of New York, I, Mara Leventhal, attorney for defendant Eugene N. Melnyk in the above captioned matter and a member in good standing of the bar of this Court, hereby move upon my accompanying declaration, submitted herewith, for an Order allowing the admission pro hac vice as counsel for Mr. Melnyk of:

Dennis B. Auerbach
Covington & Burling LLP
1201 Pennsylvania Avenue, NW
Washington, DC 20004-2401
Tel: 202-662-5226
Fax: 202-778-5226
dauerbach@cov.com

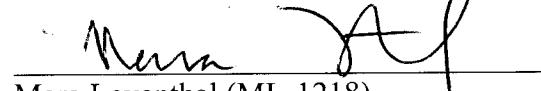
Dennis B. Auerbach is a member in good standing of the Bar of the District of Columbia.

There are no pending disciplinary proceedings against Dennis B. Auerbach in any State or Federal court.

Dated: April 14, 2008
New York, NY

Respectfully Submitted,

GREGORY P. JOSEPH LAW OFFICES LLC

By: 
Mara Leventhal (ML-1218)

485 Lexington Avenue, 30th Floor
New York, New York 10017
Tel: (212) 407-1200
Fax: (212) 407-1299

Attorneys for Defendant Eugene N. Melnyk

610481

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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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SECURITIES AND EXCHANGE COMMISSION, :
: Plaintiff, : 08 CIV 02979 (LAK)
: -against- : ECF CASE
: :
: BIOVAIL CORPORATION, :
: EUGENE N. MELNYK, :
: BRIAN CROMBIE, :
: JOHN MISZUK, and :
: KENNETH G. HOWLING, :
: Defendants. :
----- x

CERTIFICATE OF SERVICE

I certify under penalty of perjury pursuant to 28 U.S.C. § 1746 that on April 14, 2008, I caused a true and correct copy of Motion To Admit Counsel Pro Hac Vice to be served upon the following counsel for the parties via Federal Express:

Mark K. Schonfeld
Securities and Exchange Commission
3 World Financial Center
New York, NY 10281-1022
Tel: (212) 336-1120
Attorneys for Plaintiff Securities and Exchange Commission

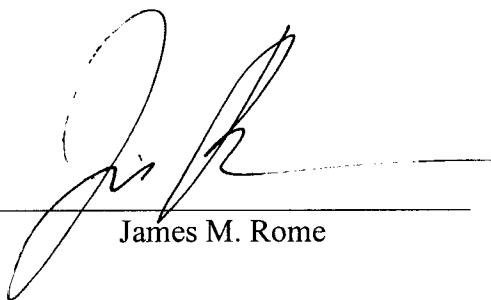
David M. Becker
Shawn H. Chen
Robin M. Bergen
Cleary Gottlieb Steen & Hamilton LLP

2000 Pennsylvania Avenue, NW
Washington, DC 20006-1801
Tel: (202) 974-1500
Attorneys for Defendant Brian Crombie

Bruce Hiler
Jodi Avergun
Cadwalader, Wickersham & Taft LLP
1201 F Street, NW
Washington, DC 20004
Tel: (202) 862-2200
Attorneys for Defendant John Miszuk

Carmen J. Lawrence
Michael J. Rivera
Fried, Frank, Harris, Shriver & Jacobson LLP
One New York Plaza
New York, NY 10004-1980
Tel: (212) 859-8000
Attorneys for Defendant Kenneth G. Howling

Executed: New York, New York
April 14, 2008



James M. Rome

Gregory P. Joseph (GP-1210) (gjoseph@josephnyc.com)
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Attorneys for Defendant Eugene N. Melynk

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

SECURITIES AND EXCHANGE COMMISSION, : x
: :
Plaintiff, : :
: : 08 CIV 02979 (LAK)
-against- : : ECF CASE
: :
BIOVAIL CORPORATION, : : DECLARATION OF
EUGENE N. MELNYK, : : MARA LEVENTHAL
BRIAN CROMBIE, : : IN SUPPORT OF
JOHN MISZUK, and : : MOTION TO
KENNETH G. HOWLING, : : ADMIT COUNSEL
: : PRO HAC VICE
Defendants. : : x

I, Mara Leventhal, declare pursuant to 28 U.S.C. § 1746 that:

1. I am a Partner at Gregory P. Joseph Law Offices LLC, attorney for defendant Eugene N. Melnyk in the above-captioned matter. I am familiar with the proceedings in this case. I make this declaration based on my personal knowledge of the facts set forth herein and in support of the accompanying motion to admit Dennis B. Auerbach as counsel for Mr. Melnyk pro hac vice.

2. I am a member in good standing of the bar of the State of New York, and was admitted to practice in 1995. I am also admitted to the bar of the United States District Court for the Southern District of New York, and am in good standing with this Court.

3. I have known Dennis B. Auerbach since March 2008. Mr. Auerbach is Of Counsel at Covington & Burling LLP in Washington, DC. I have found Mr. Auerbach to be a skilled attorney and a person of integrity. Mr. Auerbach is experienced in Federal practice and is familiar with the Federal Rules of Procedure. There are no pending disciplinary proceedings against Mr. Auerbach in any State or Federal Court.

4. I am pleased to move Mr. Auerbach's admission, pro hac vice, to this Court.

5. A true and correct copy of Mr. Auerbach's Certificate of Good Standing from the bar of the District of Columbia is respectfully submitted herewith as Exhibit A.

6. A proposed order granting the admission of Dennis B. Auerbach, pro hac vice, is respectfully submitted herewith as Exhibit B.

I declare under penalty of perjury that the foregoing is true and correct. Executed on April 14, 2008.

Respectfully Submitted,



Mara Leventhal (ML-1218)



District of Columbia Court of Appeals
Committee on Admissions
500 Indiana Avenue, N.W. — Room 4200
Washington, D.C. 20001
202 / 879-2710

I, GARLAND PINKSTON, JR., Clerk of the District of Columbia Court of Appeals, do hereby certify that

DENNIS B. AUERBACH

was on the 26th day of JUNE, 1989
duly qualified and admitted as an attorney and counselor and
entitled to practice before this Court and is, on the date
indicated below, an active member in good standing of this Bar.

In Testimony Whereof, I have
hereunto subscribed my name
and affixed the seal of this
Court at the City of
Washington, D.C., on April
9, 2008.

GARLAND PINKSTON, JR., CLERK

By: *N. Charles*
Deputy Clerk

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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SECURITIES AND EXCHANGE COMMISSION,	:
	:
Plaintiff,	:
	:
-against-	08 CIV 02979 (LAK)
	ECF CASE
	:
BIOVAIL CORPORATION,	ORDER FOR
EUGENE N. MELNYK,	ADMISSION PRO HAC
BRIAN CROMBIE,	VICE ON WRITTEN
JOHN MISZUK, and	MOTION
KENNETH G. HOWLING,	:
	:
Defendants.	:
-----	x

Upon the motion of Mara Leventhal, attorney for defendant Eugene N. Melnyk, and said sponsor attorney's declaration in support;

IT IS HEREBY ORDERED that

Dennis B. Auerbach
 Covington & Burling LLP
 1201 Pennsylvania Avenue, NW
 Washington, DC 20004-2401
 Tel: 202-662-5226
 Fax: 202-778-5226
dauerbach@cov.com

is admitted to practice pro hac vice as counsel for Mr. Melnyk in the above captioned case in the United States District Court for the Southern District of New York. All attorneys appearing before this Court are subject to the Local Rules of this Court, including the Rules governing discipline of attorneys. Because this action has been assigned to the Electronic Case Filing (ECF) system, counsel shall immediately apply for an ECF password at nysd.uscourts.gov. Counsel shall forward the pro hac vice fee to the Clerk of Court.

Dated: April __, 2008
New York, NY

UNITED STATES DISTRICT JUDGE

610487

Gregory P. Joseph (GP-1210) (gjoseph@josephnyc.com)
Mara Leventhal (ML-1218) (mleventhal@josephnyc.com)
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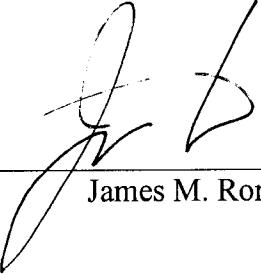
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April 14, 2008



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